

19 JAN 1985

MEMORANDUM FOR: Chief, Logistics and Procurement Law  
Division, OC-C

FROM:

[REDACTED]  
Acting Chief, Real Estate and Construction  
Division, OL

SUBJECT: Review of Senate Bill 2525

1. Some weeks ago, [REDACTED] requested that RECD review subject Bill to ascertain its impact upon real property functions of the Agency. Due to the press of events, we have not had an opportunity to sit and discuss our reservations with your staff; ergo this memorandum.

2. Our reservations concern two particular sections of the Bill. One section which contains the seeds for future confusion is Sec. 421 (General Authorities); specifically, subparagraph (5) (commencing on line 16, p. 105). As noted on line 23 a clause authorizing acquisition, construction and alteration of facilities without regard to the Public Buildings Act of 1959. The confusion arises in the lead sentence of subparagraph (5) since it merely authorizes the rental of premises. The question which needs to be resolved concerns the totality of our eventual authority--will the Bill, as written, allow CIA to acquire, construct, and alter facilities (assuming we are in compliance with other provisions of the Bill)? Or will legalists of the future interpret our authority as limited to rentals, except for the exception granted to the Public Buildings Act of 1959? We would feel more comfortable if the subparagraph were to begin with the words "acquire, construct, or alter facilities" rather than "rent any premises" as such wordage should remove any doubt as to the intent.

3. In consonance with the above, Sec. 422 which deals with Procurement Authority uses the phraseology "property, supplies, services, equipment and facilities" in several subparagraphs. Of specific concern, is subparagraph (c) of this Section. To remove any doubt as to intent, the standard phraseology should be expanded to include: "procure, property, real or personal, . . . ."

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4. I and the members of my staff stand ready to discuss these matters in greater detail should you feel it necessary.



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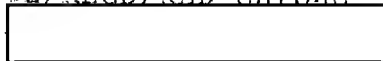
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